

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38882 of 2023

Arising Out of PS. Case No.-106 Year-2019 Thana- VAISHALI District- Vaishali

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1. Sarita Devi W/O Late Binod Manjhi Resident Of Village - Fatehpur, P.S. - Vaishali (Belsar), Distt. - Vaishali
 2. Channu Manjhi @ Chunnu Manjhi Son Of Late Dhanai Manjhi Resident Of Village - Fatehpur, P.S. - Vaishali (Belsar), Distt. - Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad

For the Opposite Party/s : Mr. Rajeev Nayan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 11-09-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. After some arguments, learned counsel for the
petitioners seeks permission to withdraw this application with
regard to petitioner no.2.

3. Permission is granted.

4. Accordingly, the instant application is dismissed as
withdrawn with regard to petitioner no.2.

5. However, if the petitioner no.2 surrenders before
the learned Court below within a period of six weeks from today
and seeks regular bail, the learned Court below would pass the
order, preferably, on the same day, without being prejudiced by
this order.



6. Now, this application is being heard only with regard to petitioner no.1.

7. Heard learned counsel for the petitioner no.1 and learned APP for the State.

8. The petitioner is apprehending her arrest in a case registered for the offences punishable under Sections 302 and 201/34 of the Indian Penal Code pending in the learned court below.

9. As per the prosecution case, petitioner along with other co-accused person has committed murder of the brother of the informant and disappeared his dead body.

10. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that only on the basis of the suspicion petitioner has been made accused in this case. He submits that there is no specific overt act against the petitioner. He further submits that there is no eye witness in this case. He submits that petitioner is wife of the deceased. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

11. Learned APP for the State opposes for prayer for bail.



12. Considering the aforesaid facts and circumstances and the fact that there is no specific overt act against the petitioner no.1, let the petitioner no.1, named above, in the event of her arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Vaishali (Belsar) P.S. Case No.106/2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

13. Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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